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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/540,785	03/31/2000	Kevin W. Bross	042390.P8413	1972

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EXAMINER

LEE, TIMOTHY L

ART UNIT	PAPER NUMBER
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2697

DATE MAILED: 08/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/540,785

Applicant(s)

BROSS ET AL.

Examiner

Timothy Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,7-9,12-15 and 18 is/are rejected.
- 7) ☒ Claim(s) 5,6,10,11,16 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claim 8 is objected to because of the following informalities: line 2 says "an first port" which should read "a first port". Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, 4, 8, 9, 12, 14, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Gates (5,299,314).
4. Regarding claims 1, 8, and 12, Gates discloses a network adaptor configured to connect a local area network cable to a computer via the computer's parallel port. Figs. 1A and 1B show the external configuration of the adaptor. A first connector 14 is mounted on one end of the housing 12 for mating connection to a standard PC parallel port D-shell connector, and it is at this point that the adaptor first receives a signal (receiving a first signal from a local device). A second connector means 24 is mounted on the opposite end of the housing 12, and the connector means is configured to connect to a local area network (transmitting the port packet data signal to a first remote device over a network connection). The purpose of the adaptor 10 is to enable personal computers to be readily connected to local area networks such as Ethernet. See col. 3, line 60-col. 4, line 27. Inherently, the adaptor is able to convert the data coming from the parallel port into data packets that will be transmitted onto the local area network (converting

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said first signal to a first network port packet data signal to emulate a local data signal port).

Claim 1 of the invention, in fact, states that the network interface means of the adaptor has means for transmitting data packet to and receiving data packets from the network. Also, the structure of Fig. 2 shows that there is memory allocated as "packet memory".

5. Regarding claims 3 and 14, as mentioned previously, the adaptor is connect to the parallel port of the computer, which contains pin data (receiving a local port pin data signal).

6. Regarding claims 4, 9, and 15, the adaptor is also able to receive data packets and convert these packets so that the computer can read the data over the parallel port connection. Many computers have more than one parallel port, so if need be, there could be one adaptor connected to one of the ports for transmission purposes, and there could be another second adaptor connected to a second port to receiving purposes (receiving a second network port packet from said first remote device over said network connection; converting the port packet signal to a second signal; transmitting said second signal to said local device).

### *Claim Rejections - 35 USC § 103*

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gates, in light of the rejection to claims 1 and 12. Gates does not expressly disclose where the first signal comprises receiving a command signal to generate a local port pin data signal, but it would have

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been obvious to a person of ordinary skill in the art at the time of the invention to receive a command signal as the first signal. One would have been motivated to do this because if that particular computer wanted pin data from a remote device, then it would have to request it through a command signal that would be transferred through the adaptor and over the network.

9. Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gates in view of Davidson, Jr. et al. (US 5,550,957), in light of the rejection to claim 1. Gates does not expressly disclose receiving a second network port packet signal from the first remote device, where the second port packet signal includes status information of the first remote device.

Davidson, Jr. et al. discloses a printer system that issues status alerts to the networked computers informing them of the status of the printer. See col. 1, line 53-col. 2, line 22. It would have been obvious to a person of ordinary skill at the time of the invention to use the status updating teachings of Davidson, Jr. et al. in the communication system disclosed by Gates. One would have been motivated to do this because if the local device knows that there is something wrong with the device that it is trying to transmit to, then it saves network resources for the local device to avoid sending data when the remote device is occupied or defective in some way.

#### ***Allowable Subject Matter***

10. Claims 5, 6, 10, 11, 16, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Martin et al. (US 6,272,551), Rowett et al. (US 6,366,583), and Nord (5,600,693)

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disclose systems that either convert packets to different protocols or send packets over parallel pin connections.

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